

Message Text

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PAGE 01 STATE 085619

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ORIGIN L-02

INFO OCT-01 EA-10 ISO-00 SCA-01 SCSE-00 JUSE-00 /014 R

DRAFTED BY L/SCA:ELKERLEY:EDD

APPROVED BY L/SCA:ELKERLEY

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R 151732Z APR 75

FM SECSTATE WASHDC

TO AMCONSUL SYDNEY

UNCLAS STATE 085619

E.O. 11652: N/A

TAGS: APER, CASC, CPAS (MCCONAHY, MALCOLM)

SUBJECT: SUIT BY AMCIT AGAINST FSSO MALONE.

REF: SYDNEY'S 642.

FOR MALONE FROM L/SCA - KERLEY.

1. INFORMATION TRANSMITTED MALONE-KERLEY TELECON OF APRIL 9, 1975 TRANSMITTED TO JUSTICE BY PHONE AND LETTER NEXT DAY. COPY OF LETTER POUCHED TO YOU. SUMMONS NOT YET RECEIVED IN DEPARTMENT.

2. IN PREPARING CASE U.S. ATTORNEY NEEDS ASAP AN AFFIDAVIT FROM YOU COVERING FOLLOWING POINTS:

(A) RECITAL OF FACT THAT YOU HAVE READ COMPLAINT AND ARE FAMILIAR WITH ALLEGATIONS CONTAINED THEREIN.

(B) DESCRIPTION OF POSITION YOU HELD DURING TIME AND EVENTS WHICH ALLEGEDLY GAVE RISE TO PLAINTIFF'S ACTION AND DESCRIPTION OF YOUR DUTIES IN THAT POSITION.

(C) NARRATIVE DESCRIPTION OF CIRCUMSTANCES WHICH GAVE RISE TO ALLEGATIONS STATED IN COMPLAINT. DESCRIBE YOUR INVOLVEMENT, IF ANY, WITH PLAINTIFF.

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(D) A DENIAL OF ANY OF PLAINTIFF'S ALLEGATIONS WHICH
YOU BELIEVE FALSE OR MISLEADING.

(E) IF CORRECT, A STATEMENT THAT YOUR CONDUCT WITH
RESPECT TO PLAINTIFF OCCURRED EXCLUSIVELY IN THE COURSE OF
YOUR OFFICIAL DUTIES DESCRIBED IN (B) ABOVE.

3. USE OF POUCH OFTEN INVOLVES DELAY. AFFIDAVIT SHOULD
ACCORDINGLY BE SENT VIA AIR MAIL DIRECTLY TO: JOHATHAN L.
GOLDSTEIN, U.S. ATTORNEY, 970 BROAD STREET, NEWARK, NEW
JERSEY 07101. KERLEY NEEDS TWO COPIES OF AFFIDAVIT SENT
IN SAME MANNER. KISSINGER

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Message Attributes

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Disposition Event:
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Margaret P. Grafeld
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